

Stephen Z. Starr
Vildan E. Starr
STARR & STARR, PLLC
260 Madison Ave., 17th Floor
New York, New York 10016
tel. (212) 867-8165
fax. (212) 867-8139

Attorneys for Plaintiff, The BD Listing, LLC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	-X	
	:	
The BD Listing, LLC,	:	
	:	
Plaintiff,	:	
	:	
vs.	:	
	:	Civil Action No.: 1:17-MC-00471
United Advisors, LLC and	:	
United Atlantic Capital, LLC,	:	
	:	
Defendants.	:	
-----	-X	

NOTICE OF APPLICATION TO REOPEN CASE

The BD Listing, LLC, plaintiff and judgment creditor herein ("Plaintiff"), by and through its undersigned counsel, hereby applies pursuant to F.R.Civ. P. 60(b)(1) to reopen this case based on inadvertence.

A. BASIS FOR THE RELIEF REQUESTED

1. This case was closed as of December 6, 2017 on the grounds that a certified copy of a judgment registered with this court from another district (copy attached hereto as Exhibit A) was not filed with Form A0451 (Clerk's Certification of a Judgment from Another District).

2. Plaintiff through its counsel has obtained a duly executed and sealed Form A0451 from the U.S. District Court for the Eastern District of Virginia, which is annexed hereto as Exhibit B.

3. Plaintiff, through its counsel, respectfully submits that the failure to include the Form A0451 at time of original filing was inadvertent. Pursuant to standing order M10-468, entered June 14, 2017 plaintiff submits the deficiency has been cured and requests the case be reopened and the judgment registered in this District.

Dated: New York, New York
December 7, 2017

STARR & STARR, PLLC

By: /s/ Stephen Z. Starr
Stephen Z. Starr
Vildan E. Starr
260 Madison Ave., Fl. 17
New York, New York 10016
tel.: (212) 867-8165
fax.: (212) 867-8139

Attorneys for Plaintiff, The BD Listing, LLC

EXHIBIT

A

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

THE BD LISTING, LLC,
Petitioner,

v.

Civil Action No. 3:17-cv-00481-JAG

UNITED ADVISORS, LLC, and
UNITED ATLANTIC CAPITAL, LLC
Respondents.

ORDER

This matter comes before the Court on the petitioner's motion for default judgment. (Dk. No. 11.) The respondents were served with the petition to confirm arbitration award on August 14, 2017, which set the deadline for responsive pleadings for September 5, 2017. The respondent has not filed responsive pleadings, so the petitioner requested that the clerk enter default. The clerk entered default against the respondents. The petitioner then moved for default judgment.

Upon due consideration, the petitioner's motion for default judgment is hereby GRANTED. The petition to confirm arbitration award appearing unopposed, the Court finding no meritorious grounds for its denial, and for the reasons stated in the petition, the Court GRANTS the petition and CONFIRMS the arbitration award in the amount of \$418,966.03. The Court also awards \$3,750 for filing fees to the petitioner.

Accordingly, the Court ENTERS JUDGMENT in the total amount of \$422,716.03. Interest in the legal rate should run from April 28, 2017 (thirty (30) days following the date of the arbitration award, in accordance with its terms).

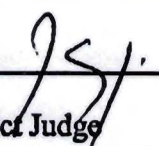
Should the respondents wish to appeal this Order, they must file written notice of appeal with the Clerk of Court within thirty (30) days of the date of entry. Failure to file a notice of appeal within that period may result in the loss of the right to appeal.

This case is hereby CLOSED.

It is so ORDERED.

Let the Clerk send a copy of this Order to all counsel of record and to the respondents via U.S. Mail at the addresses listed on the summons. (Dk. No. 6.)

Date: October 27, 2017
Richmond, VA

/s/ 
John A. Gibney, Jr.
United States District Judge

A TRUE COPY, TESTE:
CLERK, U.S. DISTRICT COURT

BY


DEPUTY CLERK

EXHIBIT

B

AO 451 (Rev. 12/12) Clerk's Certification of a Judgment to be Registered in Another District

UNITED STATES DISTRICT COURT
for the
Eastern District of Virginia

The BD Listing, LLC

Plaintiff

v.

United Advisors, LLC, et ano.

Defendant

)
)
)
)
)

Civil Action No. 3:17-cv-00481-JAG

CLERK'S CERTIFICATION OF A JUDGMENT TO BE REGISTERED IN ANOTHER DISTRICT

I certify that the attached judgment is a copy of a judgment entered by this court on (date) 10/27/2017.

I also certify that, as appears from this court's records, no motion listed in Fed. R. App. P. 4(a)(4)(A) is pending before this court, the time for appeal has expired, and no appeal has been filed or, if one was filed, it is no longer pending.

Date:

12/4/17

CLERK OF COURT



Signature of Clerk or Deputy Clerk